

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
(PHILADELPHIA)**

IN RE:

Alessandro B. Micozzi

Kristi M. Micozzi

Debtors

CHAPTER 13

CASE NO.: **19-13556-mdc**

CERTIFICATION OF DEFAULT

NOW COMES the Movant, Wilmington Trust, National Association, not in its Individual Capacity, but solely as Trustee for MFRA Trust 2014-2, by and through its attorneys, Hill Wallack LLP, who file this Certification of Default upon the following:

1. Movant was awarded relief from the automatic stay by Order entered October 13, 2020, as a result of Debtor's failure to remit post-petition mortgage payments and/or respond to Movant's Certification of Default.
2. A Motion to Reconsider said Order was filed on October 22, 2020 at Doc. No. 71.
3. Movant resolved the reconsideration motion with Debtor's attorney in lieu of filing an opposition on the condition that Debtors become current on post-petition mortgage payments.
4. As a result, the Debtor and Movant entered into a certain Stipulation Order Resolving Debtor's Motion to Reconsider wherein the Debtor was to submit payment to cure the full arrears by November 18, 2020, submit payment for fees and costs incurred and agreed to remain current on all regular post-petition monthly mortgage payments. A true and correct copy of the Stipulation is attached hereto and made a part hereof as Exhibit "A."
5. On or about November 12, 2020 the court entered an Order approving the Stipulation. *See, Doc. No. 76.*

6. The Stipulation provided that should the Cure Payments or Monthly payments not be remitted on the day due, Movant shall file a Certification of Default. If the default is not cured within ten (10) days of the date of the Certification of Default, the Court shall enter an Order granting relief from the Automatic Stay waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable. *See, Stipulation at ¶7.*
7. The Debtors failed to make the payments required under the Stipulation on November 18, 2020
8. As of November 20, 2020, the payment to cure the post-petition arrears in full has not been made and therefore the Debtors are in default under the Stipulation.
9. As such, Wilmington Trust, National Association, not in its Individual Capacity, but solely as Trustee for MFRA Trust 2014-2, respectfully requests that the attached Order in connection with the Motion for Relief from Stay be entered.

Hill Wallack LLP

By: /s/ Angela C. Pattison, Esq.
Angela C. Pattison, Esq.,
Attorney ID 307611
Hill Wallack, LLP
1415 Route 70 East, Suite 309
Cherry Hill, NJ 08034
Telephone 856-616-8086
Facsimile 856-616-8081
Email: apattison@hillwallack.com